

ture, and Chapter 21, Acts of 45th Legislature, First Called Session, to include persons who served in the active military, naval or other armed forces or nurses corps of the United States on or after September 16th, 1940 and prior to the termination of hostilities in the present war. With amendments.

S. B. No. 123, "An Act to amend Subsection 1 of Section 1 of Senate Bill No. 209, Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, so as to provide for the fixing of the amount of fees to be retained by precinct, county, and district officer; to amend Subsection 1 of Section 3 of Senate Bill 209, Chapter 220, Acts of Senate Bill 209, Chapter 220, Acts of the Forty-third Legislature, Regular Session, 1933, so as to provide for the appointment and compensation of deputies; providing a saving clause; and declaring an emergency."

H. B. No. 527, An Act to amend Article 4725, Revised Civil Statutes of 1925, as thereafter amended by adding to said article, as last amended, a provision to the effect that the provisions of subdivision 2 thereof as to the value of the real estate compared to the amount loaned thereon and as to the duration of such loan shall not apply to loans secured by real estate which are guaranteed in whole or in part under the provisions of Title III of the Servicemen's Readjustment Act of 1944, enacted by the Congress of the United States and approved June 22, 1944, and declaring an emergency.

H. B. No. 820, Squirrel law for Cherokee County; and declaring an emergency.

H. B. No. 730, Amending Article 6964, Revised Civil Statutes of Texas, 1925; and declaring and emergency.

H. B. No. 257, To fix a maximum rate of tax to be levied for school districts which include a town with population of not fewer than 3,011 and not more than 3,070 whether organized under General or Special Law; and declaring an emergency.

H. B. No. 284, Amending Chapter 7, Title 93, of Revised Civil Statutes of 1925, pertaining to weights and measures, etc., and declaring an emergency.

H. B. No. 431, To delimit the definition of a loan broker by excluding institutions subject to supervision or examination by the Department of Banking; and declaring an emergency.

H. B. No. 729, Amending Section 6953, Revised Civil Statutes of Texas, 1925; and declaring an emergency.

S. J. R. No. 8, Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members, prescribing their qualifications, tenure of office and compensation and abolishing the Commission of Appeals.

Recess

On motion of Senator Ramsey, the Senate, at 4:35 o'clock p. m., took recess until 10:30 o'clock a. m., tomorrow.

SIXTY-NINTH DAY—Continued

(Tuesday, May 8, 1945)

(Legislative Monday)

The Senate met at 10:30 o'clock a. m., and was called to order by the President.

Communication from Dr. E. P. Schoch

The following communication from Dr. E. P. Schoch, was read by the President, and was ordered printed in the Journal:

Austin, Texas,
May 7, 1945.

Lt. Governor John Lee Smith,
State Capitol,
Austin, Texas.

Dear Lt. Governor Smith:

Kindly read my enclosed Plea,—I wished to present this in person,—but the University Appropriation will probably be up for your consideration before I could do this.

Sincerely,

E. P. SCHOCH.

Plea of E. P. Schoch in support of the University's request for funds for Gas Research.

A. What have we achieved?—and what else are we looking for?

1. We have found a new process for making acetylene—which process has been recognized by private industries to be so valuable that they have donated the means to complete it.

This will open large new fields for the use of gas.

2. We have also discovered an extension of this process which may produce acetylene more cheaply still—and also produce ethylene. These two chemicals are used to make most modern chemicals and plastics,—and hence such a process would bring a whole host of chemical industries to Texas. But this process is still to be tested out.

3. We can foresee the probability of making a superior carbon black through acetylene—which process will use only one-fifth of the gas now needed for carbon,—while allowing a much higher price for the gas. This process also is still to be tested out.

B. Why should the State support this work now?

1. The State should support this work to keep it from passing into the control of a single private firm.

2. This work should be done during the next two years—before our gas supplies may be diverted by contract to other purposes so as to render it impossible to build a large chemical industry on gas in Texas.

3. The State should furnish the means to retain the present experienced staff workers—because private donations cannot be relied upon to do this,—and the work cannot be done without them.

C. How much State aid is needed?

1. The staff's present payroll is \$40,115 per annum.

2. Materials and equipment are now used at the rate of \$60,000 per annum.

3. In the present Senate Appropriation Bill, on page 44 under Bureau of Industrial Chemistry,—line 42, item 43 now reads:

Acetylene division....\$6,600.00

In 1943, this amount was \$13,680, but the least with which we were then able to operate was \$40,000.

My plea is—make this item large enough to assure continued maintenance of this work.

Motion to Adjourn

Senator Sulak moved that the Senate adjourn until 10:00 o'clock a. m., tomorrow.

Yeas and nays were demanded and the motion to adjourn was lost by the following vote:

Yeas—6

Ramsey
Sulak
Vick

Weinert
Winfield
York

Nays—20

Aikin
Brown
Bullock
Chadick
Crawford
Graves
Hazlewood
Jones
Knight
Lane

Lanning
Martin
Metcalf
Moffett
Morris
Parrish
Shivers
Spears
Stanford
Stone

Absent

Carney
Moore

Taylor

Absent—Excused

Kelley

Mauritz

Senate Bill 338 on Second Reading

Senator Metcalfe moved that the regular order of business be suspended to take up for consideration at this time, Senate Bill No. 338.

The motion prevailed by the following vote:

Yeas—22

Aikin
Brown
Bullock
Chadick
Crawford
Graves
Hazlewood
Jones
Knight
Lane
Lanning

Martin
Metcalf
Moffett
Morris
Parrish
Shivers
Spears
Stanford
Stone
Winfield
York

Nays—1

Vick

Present—Not Voting

Ramsey

Absent

Carney
Moore
Sulak

Taylor
Weinert

Absent—Excused

Kelley

Mauritz

The President then laid before the

Senate on its second reading and passage to engrossment:

S. B. No. 338, A bill to be entitled "An Act to amend Article 2654b-1, Chapter 9a, entitled Tuition and Control of Funds of State Institutions, Title 49, entitled Education—Public, Vernon's Annotated Civil Statutes of Texas, being Chapter 6, Acts, First Called Session, Forty-third Legislature (1933), page 10, Compiled Laws of said Session, as amended by Chapter 337, Acts, Regular Session, Forty-eighth Legislature (1943), page 568, Compiled Laws of said Session, by adding a new Section thereto to be known as Section 4, providing that the exemption of veterans of the present World War from the payment of dues, fees, and charges by state educational institutions of higher learning shall not prevent the payment by the Federal Government of the costs of education of eligible veterans in said educational institutions, and authorizing the governing boards of such educational institutions to enter into contracts with the United States Government or any of its agencies for the education of such veterans, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 338 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 338 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Brown	Morris
Bullock	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalfe	York
Moffett	

Absent

Carney

Taylor

Absent—Excused

Kelley

Mauritz

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—26

Aikin	Moffett
Brown	Morris
Bullock	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalfe	York

Absent

Carney
Moore

Taylor

Absent—Excused

Kelley

Mauritz

House Bill 173 on Second Reading

On motion of Senator Lanning, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 173, A bill to be entitled "An Act fixing appropriations for educational institutions of higher learning, and declaring the policy thereof; prescribing certain rules and regulations to be followed in determining said appropriations; requiring audits; making appropriations for the support, maintenance, buildings, and improvements of the several State institutions of higher learning for the two fiscal years, beginning September 1, 1945, and ending August 31, 1947, both dates inclusive; and for certain other educational agencies of the State; prescribing certain restrictions concerning the expenditures of said appropriations, containing a savings clause; and declaring an emergency."

The President laid the bill before the Senate on its second reading and passage to third reading.

The bill was read second time.

Senator Lanning offered the following amendment to the bill:

Amend House Bill No. 173 by striking out all below the enacting clause and inserting in lieu thereof the body and text of Senate Bill No. 320 and by striking out all before the enacting clause and inserting the caption of Senate Bill 320.

The amendment was adopted.

Senator Sulak offered the following amendment to the bill:

Amend H. B. No. 173 as amended by striking out in line 14, page 36 of the printed bill the figures \$3200.00 and insert in lieu thereof \$3600.00.

The amendment was adopted.

Senator Sulak offered the following amendment to the bill:

Amend substitute for H. B. 173 by inserting between the lines 14 and 15 the following.

Instructor\$2,000.00 \$2,000.00

The amendment was adopted.

Senator Chadick offered the following amendment to the bill:

Amend S. B. No. 320 by adding immediately following line 28, page 44, of the printed bill, the following:

Amend Senate Substitute for H. B. No. 173 by striking out all of the "Cotton Research Committee of Texas" appropriation on pages 87 and 88 of said substitute and inserting in lieu thereof the following:

"COTTON RESEARCH COMMITTEE OF TEXAS
(Out of General Revenue Fund)

For the Years Ending
August 31, August 31,
1946 1947

33a. Laboratory equipment, supplies salaries for additional technical assistants, none to exceed \$300.00 per month\$ 85,000.00 \$ 85,000.00 and change total appropriated to conform.

(Senator Stone in the Chair)

The amendment was adopted.

Senator York offered the following amendment to the bill:

Amend S. B. No. 320 on page 13, add section known as 59A after Section 59, line 18 to read as follows:

Tomato Disease Investigation,
Robertson County

59A. Maintenance and Control
\$5000.00 \$5000.00
Subtotal Tomato Disease Investigation ..\$5000.00 \$5000.00

The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

For the Years Ending
August 31, August 31,
1946 1947

Salaries

1. Administrative Director (SN) (was research director)	\$ 6,500.00	\$ 6,500.00
2. Stenographer-clerk	1,800.00	1,800.00
3. Clerk, part-time	600.00	600.00
4. Associate Director Cotton Fabrics Research	5,000.00	5,000.00
5. Cotton Technologist	2,640.00	2,640.00
6. Cotton Technologist	2,640.00	2,640.00
7. Textile Engineer	2,400.00	2,400.00
8. Cellulose chemist	4,200.00	4,200.00
9. Laboratory assistant	1,775.00	1,775.00
10. Maintenance engineer	2,640.00	2,640.00
11. Development engineer	4,200.00	4,200.00
12. Textile technologist (was project principal and chemical engineer).....	4,200.00	4,200.00
13. Textile engineer	3,600.00	3,600.00
14. Textile technician	1,775.00	1,775.00
15. Textile technician	2,115.00	2,115.00
16. Technical assistant	1,520.00	1,520.00
17. Technical assistant	765.000	765.00
18. Maintenance engineer	2,115.00	2,115.00
19. Associate Director Cottonseed research (SN)	5,000.00	5,000.00

		For the Years Ending	
		August 31, 1946	August 31, 1947
20.	Cottonseed research technologist (was associate director and mechanical engineer)	4,200.00	4,200.00
21.	Chemist analyst	1,850.00	1,850.00
22.	Cottonseed research technologist(was chemical engineer)	4,275.00	4,275.00
23.	Analyst	1,380.00	1,380.00
24.	Student assistant	540.00	540.00
25.	Student assistant	540.00	540.00
26.	Associate nutritionist (was projects principal and chemist	4,200.00	4,200.00
27.	Assistant nutritionist (was biological chemist	2,775.00	2,775.00
28.	Laboratory technician	2,640.00	2,640.00
29.	Laboratory assistant	1,380.00	1,380.00
30.	Student assistant	375.00	375.00
31.	Student assistant	360.00	360.00
Total salaries.....		\$ 80,000.00	\$ 80,000.00

Maintenance and Miscellaneous

32.	Purchase of Laboratory equipment, and the housing and maintenance of same.....	\$ 25,000.00	\$ 25,000.00
33.	General maintenance, including supplies, material, labor, equipment, traveling and contingent expenses	20,000.00	20,000.00
Total Maintenance and Miscellaneous.....		\$ 45,000.00	\$ 45,000.00

Grand Totals..... \$ 125,000.00 \$ 125,000.00

"Any unexpended balance of the above funds not used during the year ending August 31, 1946, is hereby appropriated for corresponding use in the following year.

"It is provided that the Cotton Research Committee may make necessary transfers among the appropriations for the Cotton Research Committee as is necessary to properly carry on the research work provided the maximum salary rate for each class of position is not exceeded and that none of the appropriations shall be used to supplement any appropriation made to the various educational institutions for business research."

MOFFETT
VICK
SULAK

Senator Lanning moved to table the amendment.

(President in the Chair)

Yeas and nays were demanded and the motion to table was lost by the following vote:

Yeas—12

Aikin	Ramsey
Carney	Shivers
Graves	Spears
Lanning	Stone
Metcalf	Taylor
Moore	Weinert

Nays—14

Brown	Bullock
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Chadick	Moffett
Crawford	Parrish
Hazlewood	Stanford
Jones	Sulak
Knight	Vick
Lane	Winfield

Absent

Martin	York
Morris	

Absent—Excused

Kelley	Mauritz
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Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—11		Moore	Stone
Brown	Moffett	Ramsey	Taylor
Bullock	Morris	Shivers	Weinert
Crawford	Stanford	Spears	Winfield
Hazlewood	Sulak	Absent	
Jones	Vick	Parrish	York
Lane		Absent—Excused	
Nays—16		Kelley	Mauritz
Aikin	Knight	Senator Moffett offered the follow-	
Carney	Lanning	ing amendment to the bill:	
Chadick	Martin		
Graves	Metcalf		

Amend Senate Bill No. 320, the substitute for H. B. 173, page 88, by eliminating items 27 and 28, and insert in lieu thereof the following, and change the totals to conform:

	For the Years Ending	
	August 31, 1946	August 31, 1947
27. Purchase of Laboratory Equipment and the housing and maintenance of same.....	\$ 25,000.00	\$ 25,000.00
28. General Maintenance including supplies, material, labor, equipment, traveling and contingent expenses	20,000.00	20,000.00

**MOFFETT
VICK**

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—11		Martin	Stone
Brown	Moffett	Metcalfe	Taylor
Bullock	Morris	Moore	Winfield
Crawford	Stanford	Shivers	York
Hazlewood	Sulak	Absent	
Jones	Vick	Parrish	Weinert
Lane		Ramsey	
Nays—15		Absent—Excused	
Aikin	Graves	Kelley	Mauritz
Carney	Knight	Senator Winfield offered the follow-	
Chadick	Lanning	ing amendment to the bill:	

Amend S. B. No. 320 by striking out lines 20 through 64 on page 53, page 54 in its entirety, and lines 1 through 9 on page 55 of the printed bill and inserting in lieu thereof the following:

COLLEGE OF MINES AND METALLURGY
(A Branch of The University of Texas), El Paso

	For the Years Ending	
	August 31, 1946	August 31, 1947
Salaries (Nine months unless otherwise specified)		
Biological Sciences:		
1. Professor, Chairman of Department.....	\$ 4,100.00	\$ 4,100.00
2. Assistant Professor and Health Officer.....	2,800.00	2,800.00
Chemistry:		
1. Professor, Chairman of Department.....	\$ 4,100.00	\$ 4,100.00
4. Assistant Professor	2,800.00	2,800.00

	For the Years Ending August 31, 1946 August 31, 1947	
5. Assistant Professor	2,500.00	2,500.00
6. Storekeeper (12 months).....	1,080.00	1,080.00
Economics and Business Administration:		
7. Professor, Chairman of Department.....	3,910.00	3,910.00
8. Assistant Professor	2,700.00	2,700.00
Education:		
9. Professor, Chairman of Department.....	4,100.00	4,100.00
10. Professor, Dean of Arts and Sciences.....	4,200.00	2,500.00
11. Instructor	2,500.00	2,500.00
Engineering:		
12. Professor, Dean of Engineering, Superintendent of Bldgs. and Grounds.....	4,200.00	4,200.00
13. Assistant Professor	2,800.00	2,800.00
English and Speech:		
14. Professor, Chairman of Department.....	4,100.00	4,100.00
15. Associate Professor	3,000.00	3,000.00
16. Associate Professor	2,990.00	2,990.00
17. Assistant Professor	2,700.00	2,700.00
18. Assistant Professor	2,700.00	2,700.00
19. Instructor	2,500.00	2,500.00
Geology:		
20. Professor, Chairman of Department.....	4,100.00	4,100.00
21. Associate Professor	3,200.00	3,200.00
History, Government, Sociology:		
22. Professor, Chairman of Department.....	4,100.00	4,100.00
23. Associate Professor	3,000.00	3,000.00
24. Associate Professor	3,000.00	3,000.00
25. Assistant Professor	2,800.00	2,800.00
Journalism:		
26. Associate Professor, Dean of Student Life..	3,600.00	3,600.00
Mathematics and Physics:		
27. Professor, Chairman of Department.....	4,100.00	4,100.00
28. Associate Professor	3,000.00	3,000.00
29. Associate Professor	3,000.00	3,000.00
30. Instructor	2,530.00	2,530.00
31. Instructor	2,530.00	2,530.00
Mining and Metallurgy:		
32. Professor, Chairman of Department.....	4,100.00	4,100.00
33. Associate Professor	3,200.00	3,200.00
Modern Languages:		
34. Professor, Chairman of Department.....	3,680.00	3,680.00
35. Assistant Professor	2,800.00	2,800.00
36. Assistant Professor	2,800.00	2,800.00
37. Assistant Professor	2,600.00	2,600.00
Museum:		
38. Curator and Instructor	2,900.00	2,900.00
Music:		
39. Assistant Professor and Band Director.....	3,000.00	3,000.00
Philosophy and Psychology:		
40. Professor	3,200.00	3,200.00
Physical Education:		
41. Professor and Director.....	3,910.00	3,910.00

	For the Years Ending	
	August 31, 1946	August 31, 1947
42. Instructor	2,500.00	2,500.00
43. Instructor	2,200.00	2,200.00
Library (12 Months):		
44. Librarian	3,600.00	3,600.00
45. Assistant Librarian	1,920.00	1,920.00
46. Loan Librarian	1,600.00	1,600.00
Administration (12 Months):		
47. President: with water, lights, fuel, telephone and gardener	7,000.00	7,000.00
48. Secretary to President	2,200.00	2,200.00
49. Registrar	3,680.00	3,680.00
50. Assistant Registrar	3,000.00	3,000.00
51. Transcript Clerk	1,800.00	1,800.00
52. Business Manager	3,400.00	3,400.00
53. Assistant Business Manager	2,800.00	2,800.00
54. Assistant Bookkeeper and Voucher Clerk	1,800.00	1,800.00
55. Switchboard Operator	1,200.00	1,200.00
56. Faculty Secretary	2,200.00	2,200.00
Physical Plant (12 Months)		
57. Utilities Operator	2,600.00	2,600.00
58. Janitors and laborers	9,600.00	9,600.00
59. Night Watchman	1,220.00	1,220.00
60. Gardener and Yardman	1,220.00	1,220.00
61. Carpenter	1,620.00	1,620.00
Total Salaries	\$ 188,090.00	\$ 188,090.00
62. Summer School	\$ 14,375.00	\$ 14,375.00
63. Maintenance and Equipment	20,125.00	20,125.00
Improvements, Repairs, and Buildings:		
64. Repairs and improvements to gymnasium, courts and athletic field	1,500.00	1,500.00
65. Steam line and electric equipment, repairs and replacements	500.00	1,000.00
66. Grounds, including sidewalks and asphaltting driveways	7,500.00	7,500.00
67. Remodeling and improving floors in buildings	2,000.00	2,000.00
68. Painting Buildings (exterior and Interior)	1,000.00	1,000.00
69. Materials and labor to complete wood shop	1,000.00
70. Work machines for wood shop	1,500.00
71. Boiler	10,000.00
Total—Improvements, Repairs, and Buildings	23,500.00	14,500.00
Grand Totals—College of Mines and Metallurgy	246,090.00	246,090.00

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend Senate Bill No. 320 by adding the following to the general rider:

"Any person who vacated a position with the state government including State supported schools of higher learning to enter any part of the armed services shall upon his or her

return be given the same position or a better position as he or she had when they vacated said position to enter the services. In the event a better position is tendered along with the same position which he or she formerly held, the returning service man or woman shall have the option of accepting either one."

Senator Hazlewood offered the fol-

lowing amendment to the amendment:

Amend Aikin amendment by adding the following:

"Provided further that the Board of Regents of the State Teachers Colleges are instructed to equalize the salaries of Department heads and other comparable positions in the State Teachers Colleges and provided further that department heads and other comparable positions in the other institutions of higher learning shall be equalized herein so that positions of similar or equivalent duties shall receive similar salaries and sufficient additional funds are hereby appropriated to carry out these provisions.

The amendment to the amendment was adopted.

Question recurring on the amendment as amended, it was adopted.

Senator Brown offered the following amendment to the bill:

Amend S. B. No. 320 by inserting item 122A on page 15, the following: Agronomist \$2,700.00 for each year.

The amendment was adopted.

Senator Parrish offered the following amendment to the bill:

Amend Senate Bill No. 320 by striking out all matter commencing with line 38 on page 62 and continuing through line 13 on page 70, of the printed bill (all of which has reference to Texas Technological College, Lubbock, Texas), and by substituting in lieu thereof the following:

Texas Technological College
Lubbock

For the Years Ending
August 31, August 31,
1946 1947

(Here follow 210 items totaling \$874,009.00 for 1st year and \$856,509.00 for 2nd year.)

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 320 by adding between lines 48 and 49 on page 84 of the printed bill an item to be known as "22a," which reads as follows:

For the Years Ending
August 31, August 31,
1946 1947

22a. Animal Husbandry Department
\$20,000.00

(Contingent upon the donation of one adjoining section of land) purchase of 375 acres, one show barn, equipment—

The amendment was lost by the following vote:

Yeas—5

Hazlewood	Spears
Jones	Winfield
Parrish	

Nays—22

Aikin	Moffett
Brown	Morris
Bullock	Ramsey
Carney	Shivers
Chadick	Stanford
Crawford	Stone
Graves	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Metcalf	York

Absent

Martin	Moore
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Absent—Excused

Kelley	Mauritz
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Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 320 by adding on page 85 of the printed bill between lines 20 and 21 after Item 43 a new item to be known as "Item 44," which reads as follows:

For the Years Ending
August 31, August 31,
1946 1947

44. Campus
Driveways \$15,600.00 \$15,600.00

Yeas and nays were demanded, and the amendment was lost by the following vote:

Yeas—8

Brown	Parrish
Crawford	Spears
Hazlewood	Weinert
Jones	Winfield

Nays—20

Aikin	Bullock
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Carney	Moore	Vick	York
Chadick	Morris		
Graves	Ramsey	Present—Not Voting	
Lane	Shivers		
Lanning	Stanford	Knight	
Martin	Stone		
Metcalf	Sulak	Absent—Excused	
Moffett	Taylor	Kelley	Mauritz

Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 320 by adding on page 14 of the printed bill between lines 14 and 15 the following to be known as items "83a," "83b," and "83c":

	For the Years Ending	
	August 31, 1946	August 31, 1947
83a. Biochemist Salary	\$ 3,800.00	\$ 3,800.00
83b. Laboratory Equipment	2,000.00	2,000.00
83c. Maintenance, Equipment, Labor, Supplies and Contingents	4,200.00	4,200.00

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 320 by adding on page 17 of the printed bill between lines 49 and 50 the following to be known as items "179a, 179b, 179c, 179d" which read as follows:

179a. Salary for cotton breeder.....	\$ 4,000.00	\$ 4,000.00
179b. Labor, common and skilled (Study of Verticillium Wilt)	2,800.00	2,800.00
179c. Equipment, supplies, and Maintenance (Study of Verticillium Wilt).....	1,480.00	1,480.00
179d. Outlying experiments (Study of Verticillium Wilt)	750.00	750.00

The amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend Senate Bill No. 320, substitute for H. B. 173, page 88, by eliminating items 27 and 28, and insert in lieu thereof the following, and change the totals to conform:

27. Purchase of Laboratory Equipment and the housing and maintenance of same.....	\$ 23,000.00	\$ 23,000.00
28. General Maintenance including supplies, materials labor, equipment, traveling and contingent expenses	18,000.00	18,000.00
	MOFFETT	
	VICK	

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend H. B. 173 on page 1, line 18, by changing "Section 1" to read "Section 2."

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend H. B. No. 173 as amended on page 1, between lines 17 and 18, of the printed bill a new section to be known as "Section 1" which reads as follows:

"Section 1. In accordance with the Constitutional requirements that taxes for county purposes only be paid by the General Fund to counties in which are located endowment lands set aside to The University of Texas by the Constitution of the State of Texas and the Act of 1883, there is hereby appropriated to the State Comptroller of Public Accounts for such purposes the sum of not to exceed Forty Thousand (\$40,000.00) Dollars for each of the fiscal years ending August 31, 1946, and August 31, 1947, and an additional Nine Thousand Two Hundred Seventy-five Dollars and Eighty-eight cents (\$9,275.88) for the purpose of paying the taxes that are now accrued and delinquent to certain of these counties."

The amendment was adopted.

House Bill No. No. 173 (as amended) was then passed to third reading.

House Bill 173 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 173 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalfe	York
Moffett	

Absent—Excused

Kelley	Mauritz
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 856 on Second Reading

On motion of Senator Spears, and by unanimous consent, the regular order of business was suspended to take up on its second reading and passage to third reading:

H. B. No. 856, A bill to be entitled "An Act amending Senate bill No. 95, Acts of the Regular Session of

the 48th Legislature, as amended by Senate Bill No. 350, Acts of the Regular Session of the 48th Legislature, providing that in all incorporated cities and towns containing more than one hundred seventy-five thousand (175,000) inhabitants according to the last preceding or any future Federal Census, the governing body shall have power to lay out, acquire and/or construct any section or portion of any street within its jurisdiction as a freeway under certain circumstances, defining the term "freeway", conferring the right to close streets or to make provision for carrying any street over or under or to a connection with the freeway; providing for the power of condemnation of the right of access to an existing public street when converted into a freeway; repealing all laws in conflict; and declaring an emergency."

The President laid the bill before the Senate on its second reading.

The bill was read second time and was passed to third reading.

House Bill 856 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 856 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lane
Brown	Lanning
Bullock	Martin
Carney	Metcalfe
Chadick	Moffett
Crawford	Moore
Graves	Morris
Hazlewood	Parrish
Jones	Ramsey
Knight	Shivers

Spears	Vick
Stanford	Weinert
Stone	Winfield
Sulak	York
Taylor	

Absent—Excused

Kelley	Mauritz
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Metcalf	York
Moffett	

Absent—Excused

Kelley	Mauritz
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Message from the House

Hall of the House of Representatives
Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

The House has concurred in Senate amendments to House Bill No. 850 by a vote of 127 Yeas, 0 Nays.

H. C. R. No. 87, Relative to the observance of the Texas Centennial of Statehood.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk House of Representatives

Message from the Governor

The following message, received from the Governor today, was laid before the Senate, read and referred to the Committee on Nominations of the Governor:

Austin, Texas,
May 7, 1945.

To the Senate of the Forty-ninth Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a member of the Board of Directors of the Upper Colorado River Authority to fill the unexpired term of Mr. J. C. Deal, deceased, term to expire January 1, 1951:

H. C. Ragsdale of San Angelo, Tom Green County.

To be a member of the Texas Prison Board to fill the unexpired term of Honorable George Sealy, deceased, term to expire February 2, 1949:

T. N. Whitehurst of Beaumont, Jefferson County, Texas.

Respectfully submitted,
COKE STEVENSON,
Governor of Texas.

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time:

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee Judicial Districts to whom was referred H. B. No. 645 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SHIVERS, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Towns and City Corporations, to whom was referred House Bill No. 856, have had the same under consideration and I am instructed to report it back with the recommendation that it do pass and be not printed.

PARRISH, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public

Debts, Claims and Accounts to whom was referred H. B. No. 826, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs to whom was referred H. B. No. 855 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MARTIN, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom you referred H. J. R. No. 26, by Donnell, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Constitutional Amendments to whom you referred H. J. R. No. 8 by Pruett of Wise, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Constitutional Amendments to whom you referred H. J. R. No. 21, by Pruett of Wise, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MARTIN, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred House Bill No. 834, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with amendment and be not printed.

MARTIN, Chairman.

Austin, Texas,
May 8, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 780, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Bills Signed

The President signed in the presence of the Senate, after giving due notice thereof, the following bills:

H. B. No. 184, "An Act authorizing independent school districts having an area in excess of nine hundred and forty (940) square miles and located in counties having a population of not less than one hundred and three thousand (103,000) and not more than one hundred and nine thousand (109,000) according to the last preceding Federal census, to levy and collect additional maintenance taxes; providing for elections to authorize such tax levies, an declaring an emergency."

H. B. No. 128, "An Act further regulating elections and governing the nomination of candidates by providing a method for holding primary elections by convention especially applicable to organized political parties whose candidate for governor in the preceding general election shall have received less than thirty (30) per cent of the votes; providing a method of electing delegates to national conventions and Presidential Electors; repealing Articles 3154 through 3157, both inclusive of the Revised Civil Statutes of Texas, 1925 Revision; and providing a severability clause."

H. B. No. 667, "An Act amending Section 3 of House Bill No. 429, Acts

45th Legislature, Regular Session; providing for the filling of vacancies in the Board of School Trustees in All Cities constituting Independent School Districts, which have assumed control of their public free schools and having according to the last preceeding Federal Census, a population of not less than 101,000 inhabitants and not more than 105,000 inhabitants, and prescribing the term which such appointees shall serve, and requiring the filling of any such vacancy for the remaining unexpired term at the next general election; and declaring an emergency."

H. B. No. 835, "An Act amending Article 1107, Revised Civil Statutes of Texas, 1925, as amended by Acts of 42nd Legislature, Chapter 250, as amended by Acts of 47th Legislature Chapter 181, and declaring an emergency."

H. B. No. 259, "An Act making it lawful in Comanche County, Texas, for any person to fish with hook, line or seine in any pond, tank, lake or river not owned by the State of Texas and owned and/or controlled by such person, provided that such seines do not have a mesh of less than one inch square; and declaring an emergency."

H. B. No. 338, "An Act to amend Article 1034 of the Revised Penal Code of Texas, 1925, regarding the penalty therein; providing a saving clause; and declaring an emergency."

Adjournment

On motion of Senator Taylor, the Senate, at 12:40 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

SEVENTIETH DAY

(Wednesday, May 9, 1945)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Graves
Brown	Hazlewood
Bullock	Jones
Carney	Knight
Chadick	Lane
Crawford	Lanning

Martin	Stanford
Moffett	Stone
Moore	Sulak
Morris	Taylor
Parrish	Vick
Ramsey	Weinert
Shivers	Winfield

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Mauritz, Kelley, Spears, York and Metcalfe were granted leaves of absence for today on account of important business on motion of Senator Graves.

Report of Standing Committee

Austin, Texas,
May 9, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred H. B. No. 800, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with amendment and be mimeographed.

BULLOCK, Chairman.

Senate Resolution 72

(Extending courtesy to Private and Mrs. Beuret)

Senator Hazlewood offered the following resolution:

Whereas, Private and Mrs. J. W. Beuret, prominent citizens of Cleveland, Ohio, are visting in Austin and are now in the State Capitol observing the proceedings of the Legislature; and,

Whereas, Private and Mrs. Beuret are greatly impressed with the lovely climate and majestic beauty of this Great State and are even contemplating moving their residence here; therefore, be it

Resolved that Private and Mrs. Beuret be extended a cordial welcome to our State Capitol and also be given the privileges of the Floor of